

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

ANTHONY R. VILLEME,

Petitioner,

v.

BILL STANGE,

Respondent.

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No. 1:22-CV-73-HEA

OPINION, MEMORANDUM AND ORDER

This matter is before the Court upon review of a letter filed by self-represented petitioner Anthony R. Villeme, which the Court has liberally construed as a motion to conduct discovery. (ECF No. 8). In the motion, Petitioner states he is “having difficulty getting legal documents from the prosecutor/sheriff Office of the Marion County,” despite his request to receive “the whole complete document file.” *Id.* at 1. Petitioner claims his request has been “Ignored/Denied,” and he asks this Court to “put in a court order for me to receive my whole file.” *Id.* He states he needs the file in order to “maintain my court file” and “present evidence in my defense.” *Id.*

The motion will be denied. “A habeas petitioner, unlike the usual civil litigant in federal court, is not entitled to discovery as a matter of ordinary course.” *Bracy v. Gramley*, 520 U.S. 899, 904 (1997). Instead, leave of Court is required, and judges may authorize a party to conduct discovery if “good cause” is shown. Rule 6(a), Rules Governing Section 2254 Cases in the United States District Courts. To show the requisite “good cause,” a petitioner must present “specific allegations” that give the Court “reason to believe that the petitioner may, if the facts

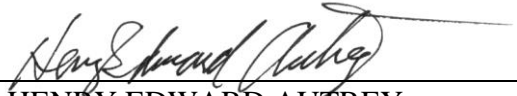
are fully developed, be able to demonstrate that he is . . . entitled to relief . . .”. *Bracy*, 520 U.S. at 908-909 (quoting *Harris v. Nelson*, 394 U.S. 286, 300 (1969)).

In the instant motion, Petitioner presents no specific allegations. Instead, he states he wants to maintain his own file, and “present evidence in [his] defense.” (ECF No. 8 at 1). Petitioner does not explain what he hopes to find in the requested file, or explain how it will help him demonstrate entitlement to relief. It therefore cannot be said that Petitioner has demonstrated the requisite good cause, and the Court will deny the motion, without prejudice.

Accordingly,

IT IS HEREBY ORDERED that Petitioner’s motion seeking discovery (ECF No. 8) is **DENIED** without prejudice.

Dated this 20th day of September, 2022.


HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE